

RESOLUTION NO. 78-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ESTABLISHING A PUBLIC HEARING FOR JANUARY 6, 2020, TO CONSIDER AMENDMENTS TO LAND USE ASSUMPTIONS, A CAPITAL IMPROVEMENTS PLAN AND THE IMPOSITION OF AN IMPACT FEE FOR ROADWAY FACILITIES, AND AUTHORIZING THE PUBLICATION OF NOTICE FOR SAID HEARING.

WHEREAS, pursuant to the passage of Ordinance No. 4366 in 2015, the City Council approved revised roadway impact fees and established new water and wastewater impact fees in accordance with Chapter 395 of the Local Government Code; and

WHEREAS, water and wastewater impact fees apply in both the city limits and the extraterritorial jurisdiction, but roadway impact fees only apply within the city limits; and

WHEREAS since adopting the revised roadway impact fees in 2015, Mesquite has annexed several areas into the city limits; and

WHEREAS, roadway impact fees cannot be collected in these annexed areas until after a public hearing and adoption of a new ordinance including these annexed areas in the impact fee program; and

WHEREAS, Chapter 395 requires prior to imposing an impact fee, the City Council must adopt an order, ordinance or resolution establishing a public hearing date to consider amendments to land use assumptions, capital improvements plan and the imposition of impact fees for roadway facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That a public hearing shall be held on Monday, January 6, 2020, at 7:00 p.m. in the Council Chambers at Mesquite City Hall located at 757 N. Galloway, to consider amendments to land use assumptions, a capital improvements plan and impact fees for roadway facilities within the City.

SECTION 2. That two notices of the hearing shall be published simultaneously in one or more newspapers of general circulation in Dallas County and Kaufman County, the notices to appear before the 30th day before the date set for the hearing. The headline for the notice shall read as follows: "NOTICE OF PUBLIC HEARING ON AMENDMENT OF IMPACT FEES." The text of the notices shall contain the following information:

- (a) The time, date and location of the hearing.
- (b) A statement that the purpose of the hearing is to consider the amendments of land use assumptions, a capital improvements plan and the imposition of an impact fee.

- (c) A statement that any member of the public has the right to appear at the hearing and present evidence for or against the update.

SECTION 3. The City Secretary shall send notices of the hearing by certified mail to any person who has given written notice by certified or registered mail to the City Secretary or other designated official of the City requesting notice of the hearing within two years preceding the date of adoption of this resolution. These notices shall be sent by certified mail before the 30th day before the date of the hearing.

SECTION 4. On or before the date of the first publication of the notice of the hearing on the amendments, the land use assumptions and the capital improvements plan, including the amount of any proposed amended impact fee per service unit, shall be made available to the public by maintaining such documents in the office of the City Secretary.

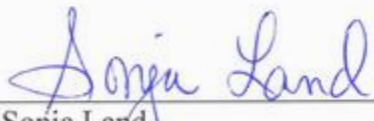
SECTION 5. That this resolution shall take effect immediately from and after its passage as the law in such cases provides.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 18th day of November 2019.



Bruce Archer
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:



David L. Paschall
City Attorney